

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

IN RE: BARD IVC FILTERS
PRODUCTS LIABILITY LITIGATION

Case No. 2:15-md-02641- DGC

This Document Relates to:
Plaintiff: Ida Mae Barnes
Case: 2:16-cv-02971-DGC

MOTION FOR SUBSTITUTION OF PARTY PLAINTIFF

Counsel, pursuant to Rule 25(a)(1) of the Federal Rules of Civil Procedure, hereby moves this Court for an order substituting Annette Barnes, as personal representative of the estate of Ida Mae Barnes for the named Plaintiff in this case. As grounds therefore, counsel states as follows:

1. That Ida Mae Barnes filed a products liability action on September 2, 2016.
2. That on or about December 7, 2018, Ida Mae Barnes passed away.
3. That a Notice/Suggestion of Death was filed today.
4. That Annette Barnes was appointed as personal representative of the estate of Ida Mae Barnes on May 6, 2019. *See* Exhibit 1.
5. That pursuant to Fed. R. Civ. P. 25(a)(1), the Court may order substitution of the proper parties upon a motion by any party or by the representatives of the deceased party.
6. That a proposed amended short form complaint reflecting the requested substitution is attached hereto as Exhibit 2.

WHEREFORE, Annette Barnes, as personal representative of the estate of Ida Mae Barnes, deceased, respectfully requests this Court grant her motion for Substitution of Party. A proposed order is attached hereto as Exhibit 3.

DATED: May 8, 2019

Respectfully submitted,

LIEFF, CABRASER, HEIMANN
& BERNSTEIN, LLP

By: /s/ Wendy R. Fleishman
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th Day of May, 2019, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF System for filing and service to all parties/counsel registered to receive copies in this case.

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